

REMARKS

Claims 27 through 38 are new and recite limitations neither disclosed nor suggested by the cited references.

In view of the following remarks, Applicant respectfully requests consideration and allowance of the subject application.

Claim Rejections

Rejections Under 35 U.S.C. §101

Claims 9-16 were rejected under 35 U.S.C. §101. The specification paragraph [0039] has been amended herein to remove the language referencing intangible media, i.e. signals.

Rejections Under 35 U.S.C. §103

Claims 1-26 were rejected under 35 U.S.C. §103(a) as being obvious anticipated U.S. Patent Application No. 2002/0046141 to Boone et al. ("Boone") in view of U.S. Patent Application No. 2002/0046131 to Mankoff ("Mankoff"). Applicant traverses these rejections.

Initially, the Action includes substantive errors with respect to the factual findings used to reject the claims. For example, claim 1 is directed to a method for representing records, and recites:

- assigning a unique identifier to a record stored at a record collection site;
- entering the unique identifier in a hierarchical tree structure;
- and
- sending the hierarchical tree structure to a central storage site.

The Action asserts that Boone discloses these elements and correctly concedes that “Boone does not explicitly disclose a record to store at the record collection site.” To compensate for the deficiencies in the teachings of Boone, the Action asserts that Mankoff teaches this limitation. Applicants disagree.

The Action cites paragraph [0047] to support the assertion that Mankoff teaches “a record stored at a record collection site.” Applicants disagree.

Paragraph [0047] reads as follows:

This method is described in greater detail in the flowchart of FIG. 3. As described in this figure, with reference still to FIGS. 1-2, the process 30 preferably begins with the user registering 31 with an entity that will maintain or host the web-based VRCD organizer. First-time registration could be direct with the host 20 of the VRCD database computer, or it could be through an affiliated Internet-connected merchant or other site 30, 31, 32, or 38.

Contrary to the assertion in the action Contrary to the assertion in the Action, nothing in the text cited in paragraph [0047] discloses (nor even suggests) a record stored at a record collection site. Rather, the cited text demonstrates a record stored to a central storage site, as previously disclosed in Boone. If Mankoff is to be taken as an analogy to the present invention, a user's computing device or the like would be analogous to a remote storage site, while an entity, host, or Internet-connected merchant would be analogous to a central storage site.

The Action cites paragraph [0067] to further support the assertion that Mankoff teaches “a record stored at a record collection site.” Applicants disagree.

The cited section of paragraph [0067] reads as follows:

...One approach would be to assign a unique number to each warranty or product instruction document and then as with the unique coupon or promotional ID 43 (see FIG. 4), it would only be necessary to transmit that information to the host 20 to identify the full VRCD. Alternatively, all relevant details for identifying the product warranty or information sheet could be transmitted to the host 20 from the partner web site. One detail that would preferably be included would be a web site where the actual text of the document is stored; alternatively, the actual text of the document could be stored in the user database 23.

Contrary to the assertion in the Action, nothing in the text cited in paragraph [0067] discloses (nor even suggests) a record stored at a record collection site. Rather, the cited text demonstrates a record stored to a central storage site, as disclosed in Boone.

Further, even if one were to assume for arguments sake that Boone in view of Mankoff does fully disclose the current invention, the Action fails to provide any motivation to combine the applications.

The Action appears to cite paragraph [0066] in Boone to demonstrate a motivation to combine because it provides performance advantages for browsing and searching operations.

Paragraph [0066] reads as follows:

FIG. 7 is a diagrammatic representation of a map file 200, according to an exemplary embodiment of the present invention. Specifically, the map file 200 is shown to include an index 208 to multiple views of summary item records (e.g., with each category defined within the master categories table 60). In one embodiment, the map file 200 comprises a binary file. In summary, the map file 200 may be regarded as presenting a pre-organized (or grouped) summarization of information contained in the items table 42 that is maintained in memory of a computer system to provide performance advantages for browsing and searching operations.

Contrary to the assertion in the action Contrary to the assertion in the Action, nothing in the text cited in paragraph [0066] discloses (nor even suggests) any motivation to combine as any browsing or searching operations would be analogous to searching or browsing at central storage site rather than the remote storage site. Furthermore, as Mankoff does not disclose a record to store at the record collection site, the combination of the two applications yields no additional information applicable to the current invention.

In sum, the Action includes erroneous factual findings with respect to the scope and content of the prior art. Accordingly, the rejections are improper. Further, the combination of Boone and Mankoff does not yield the invention recited in claim 1. Claims 2-8 depend ultimately from claim 1 and are allowable at least by virtue of this dependency.

Claim 9 was rejected on the same basis as claim 1. Applicant traverses the rejection of claim 9 based on the same argument applied to claim 1. Claims 11-16 depend ultimately from claim 9 and are allowable at least by virtue of this dependency.

Claim 21 was rejected on the same basis as claim 1. Applicant traverses the rejection of claim 21 based on the same argument applied to claim 1. Claims 22-23 depend ultimately from claim 21 and are allowable at least by virtue of this dependency.

Claim 24 was rejected on the same basis as claim 1. Applicant traverses the rejection of claim 24 based on the same argument applied to claim 1. Claims 25-26 depend ultimately from claim 24 and are allowable at least by virtue of this dependency.

Claim 17 is amended herein to recite limitations similar to those recited in claim 1.

CONCLUSION

Applicant respectfully requests reconsideration and prompt issuance of the present application. Should any issue remain that prevents immediate issuance of the application, the Examiner is encouraged to contact the undersigned attorney to discuss the unresolved issue.

Respectfully Submitted,
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